

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

IN RE: DONALD JOHNSTON Debtor DONALD JOHNSTON Debtor/Movant vs. U. S. DEPT OF EDUCATION Defendant	: : : : : : : : : : : :	Chapter 7 CASE NO. 22-50645 Adv. Proc. No. _____
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COMPLAINT FOR HARDSHIP DISCHARGE OF STUDENT LOAN

COMES NOW THE DEBTOR/PLAINTIFF, and shows the Court the following:

1.

This is an action to determine the dischargeability of a debt pursuant to 11 U.S.C. § 523 (a).

2.

The Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. § 157(b)(1); 157(b)(2)(K); and 1334(b).

3.

Pursuant to Bankruptcy Rule 7008, the Plaintiff declares this to be a core proceeding and requests the Bankruptcy Court to make a final order or judgment in this proceeding.

4.

Debtor filed this bankruptcy proceeding under Chapter 7 on 6/14/2022.

5.

Defendant is a creditor listed on the Schedules filed by Plaintiff.

6.

The debt to the creditor is a student loan that would normally not be dischargeable due to 11 U.S.C. § 523(a)(8).

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7.

Debtors shows the court that he is a 69 year old individual who suffers from COPD and other illnesses. His only income is social security disability benefits totaling \$1,007/month, and excepting this debt from a discharge would impose an undue hardship on the debtor.

8.

Debtor requests that the Court find that he is entitled to a hardship discharge of this student loan debt.

WHEREFORE, Debtors pray that the Court enquire into this matter and grant the debtor a hardship discharge.

Dated this 3rd day of August, 2022.

/s/ A. G. Knowles
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Attorney for the Debtor/Plaintiff

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